

State Of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of State Parks  
Honolulu, Hawaii  
April 11, 2008

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

SUBJECT: Request for a Special use Permit from the Federation of American Natives to Hold the Third Annual Hilo Inter-Tribal PowWow on Portions of Wailoa River State Recreation Area, Hilo,

The Federation of American Natives is requesting the use of a portion of the Wailoa River State Recreation Area (Event Site) to hold the Third Annual Hilo Inter-Tribal PowWow (Event) on May 23, 24, 25, and 26, 2008 (Exhibit A).

As explained in their request, "This event will be a multi-faceted, Native American celebration and education program which fosters an understanding and connection with the community through Native American music, dance and storytelling in a family oriented, drug and alcohol free environment."

The schedule for the Event is as follows:

- Friday, May 23, 2008, will be the set up for the vendor spaces, food concessions, tent, teepee, etc.
- Saturday, Sunday and Monday, May 24, 25 and 26, 2008, activities will include traditional dancing, storytelling, educational displays and cultural demonstration. There will be concessions selling food and Native American and Hawaiian artisans selling their crafts. Final clean up and break down of the tent and teepee will be done at the conclusion of Monday's activities.

The proposed Event will provide a valuable opportunity for our Big Island residents to learn about and appreciate the culture and history of Native Americans.

The Hawaii District received several complaints following the Second Annual Hilo Inter-Tribal PowWow. The deficiencies have been communicated to the organizers and the staff is confident that all conditions will be adhered to.

A copy of the submittal was sent to the Office of Hawaiian Affairs. OHA has no comments on this request (Exhibit B).

RECOMMENDATION:

That the Board approve the issuance of a Special Use Permit to the Federation of American Natives to hold the Third Annual Hilo Inter-Tribal PowWow (Event) on a portion of the Wailoa River State Recreation Area (Event Site) in accordance with the representations above-mentioned and subject to the following conditions whereby the Permittee shall:

1. be allowed to operate food concession booths, vendor sales booths, accept donations and/or operate sales booths of Event-related merchandise for the duration of the Special User Permit, provided, the sale of alcoholic beverages is prohibited;
2. be responsible for daily clean up of the Event Site and spillover areas during the permit period and for the final clean up at the conclusion of the Event to the satisfaction of the department. The clean up shall include the disposal at an authorized sanitary landfill of all waste and rubbish generated during the Event;
3. provide supplies (i.e.- toilet paper, soap, etc.) in the restrooms, as needed, and clean restrooms during the hours of the Event as well as monitor the cleanliness of the restrooms on an hourly basis;
4. provide and hire security which shall include at least one (1) DLNR Conservation and Resources Enforcement Officer (CREO). Such DLNR CREO shall begin work at least one hour prior to the Event's opening, shall be present at the Event Site during all hours of operation up to one hour after the closing of the Event. Other security personnel may include special duty Hawaii County Police Officer(s) and/or other uniformed security personnel, etc.;
5. direct parking and traffic flow and provide and set up traffic cones and barricades as may be required;
6. obtain all necessary County of Hawaii and State of Hawaii permits;
7. provide their own electricity. Use of power lines is permitted if the hookup is under the supervision of a licensed electrical contractor and the power is separately metered for billing to the Permittee or in lieu of such hookup, pay

fee of \$100 to the Division of State Parks for electricity usage. The Permittee shall be responsible for any damages incurred during the event and/or for services and repairs required during the event (i.e. - blown circuits, tripping of circuits, fire, etc.). Use of water, except for dust control, is permitted if not excessive.

8. be liable for repairs, replacement and/or payment for any damage incurred at the Event Site during the period of this permit;
9. provide security against serving and consumption of alcoholic beverages and use of illegal drugs;
10. waive any and all claims they may have against the State of Hawaii and its respective officers, agents and employees, and agrees to defend, hold harmless and indemnify the State of Hawaii and its respective officers, agents and employees from any suits, actions and claims arising out of and in any way connected with the activities permitted under the permit;
11. procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Special Use permit, commercial general liability insurance, in an amount of at least \$1,000,000.00 for each occurrence and \$2,000,000.00 aggregate, with an insurance company or companies licensed to do business in the State of Hawaii. The policy or policies of insurance shall name the State of Hawaii as an additional insured. The insurance shall cover the entire Event Site, including all grounds and all roadways or sidewalks on or adjacent to the Event Site in the use or control of the Permittee;
12. operate food concession booths in compliance with all applicable State Department of Health rules and regulations and the Fire Code of the County of Hawaii;
13. schedule two inspections with a State Parks representative; the first, during the week prior to the start of the Event and the second, upon completion of the break down and clean up of the Event Site. Permit conditions will be reviewed during the first scheduled inspection;
14. not obstruct or unreasonably interfere with the general public in their normal use of the Wailoa River State Recreation Area;
15. have only uniformed security personnel at the Event Site overnight;

16. pay a rental fee of \$100 per day for the Pre-Event set up, the Event and the Post-Event break down and clean up;
17. understand that the restrooms are currently under construction. Should construction not be completed by the Event date, the permittee shall procure, at their own expense, additional portable toilets to accommodate their Event;
18. comply with any other conditions that may be imposed by the Department, the Board of Land and Natural Resources, the Chairperson and/or rule revisions adopted prior to the commencement of the Event.

Respectfully submitted,



Daniel S. Quinn  
State Parks Administrator

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson